

Application No. 09/994,460
Filed: November 26, 2001
TC Art Unit: 2665
Confirmation No.: 9500

REMARKS

The foregoing amendment is filed in response to the official action dated May 9, 2005. Reconsideration is respectfully requested.

The status of the claims is as follows:

Claims 1-32 are currently pending.

Claims 1-26 are allowed.

Claims 27-32 stand rejected.

Claims 1, 3-4, 6, 14-17, 21-24, and 27 have been amended.

The Examiner has objected to claims 1, 3-4, and 6 because of the informalities listed on page 2 of the official action. The Applicants respectfully submit that the Examiner's objections relating to the indicated informalities have been addressed in the foregoing amendments to claims 1, 3-4, and 6.

The Examiner has rejected claims 14-17, 21-24, and 28-31 under 35 U.S.C. 112, second paragraph, due to a lack of antecedent basis for the limitation "by the monitor". The Applicants respectfully submit that the rejections of claims 14-17, 21-24, and 28-31 under 35 U.S.C. 112, second paragraph, have been addressed in the foregoing amendments to claims 14-17, 21-24, and 28-31. Accordingly, it is respectfully submitted that the

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rejections of the claims under section 112, second paragraph, of the Patent Law should be withdrawn.

The Examiner has rejected claims 27-28 under 35 U.S.C. 102(b) as being anticipated by Mueller (USP 4,302,839). The Examiner has further rejected claim 29 under 35 U.S.C. 103(a) as being unpatentable over the Mueller reference in view of Stephenson, Jr. (USP 5,235,332). The Examiner has also rejected claim 31 under 35 U.S.C. 103(a) as being unpatentable over the Mueller reference. Additionally, the Examiner has rejected claims 30 and 32 under 35 U.S.C. 103(a) as being unpatentable over the Mueller reference in view of Roberts, et al. (USP 6,009,075).

The Applicants have amended base claim 27 to recite a method of maintaining a data rate in a network device receiving at least one network data connection, including receiving an input data signal from the network data connection, recovering a first data rate of the input data signal by a PLL, in response to recovering the first data rate, providing a PLL control word indicative of the recovered first data rate by the PLL, detecting an error condition in the input data signal by a monitor, in response to the detected error condition, providing an error signal as an output by the monitor, receiving the PLL control word by an error data rate generator, in response to receiving the PLL control

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word, generating an AIS data rate signal substantially equal to the first data rate by the error data rate generator, and in response to the error signal, generating a predetermined AIS characteristic data sequence at the AIS data rate by an error data generator, the AIS characteristic data having a data rate substantially equivalent to the first data rate.

The Applicants respectfully submit that none of the cited references, namely, the Mueller, Stephenson, and Roberts references, taken alone or in combination, teaches or suggests the a method of maintaining a data rate in a network device receiving at least one network data connection, as recited in amended claim 27. Accordingly, it is respectfully submitted that the rejections of claims 27-32 under section 103 of the Patent Law should be withdrawn.

In view of the foregoing, it is respectfully submitted that the present application is in a condition for allowance. Early and favorable action is respectfully requested.

The Examiner is encouraged to telephone the undersigned Attorney to discuss any matter that would expedite allowance of


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the present application.

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